

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:94-CR-12-MOC

UNITED STATES OF AMERICA,

vs.

RANDELL BRICE HARRIS,

Defendant.

)
)
)
)
)
)
)
)
)
)
)

ORDER

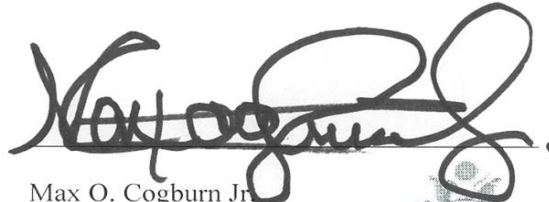
THIS MATTER is before the Court on Defendant's pro se Motion for Compassionate Release Reduction of Sentence. (Doc. No. 179). Defendant, an inmate at USP Lompoc, seeks a reduction of his sentence based on the COVID-19 pandemic.

Title 18, Section 3582(c)(1)(A)(i) authorizes criminal defendants to request compassionate release from imprisonment based on "extraordinary and compelling reasons." But before doing so, they must at least ask the Bureau of Prisons to do so on their behalf and give the Bureau thirty days to respond. See United States v. Raia, No. 20-1033, 2020 WL 1647922, at *1 (3d Cir. Apr. 2, 2020). Here, as the Government notes in its response brief, Defendant did not exhaust his administrative remedies before filing this motion. Therefore, Defendant's motion for compassionate release is dismissed without prejudice to first exhaust his administrative remedies with the BOP.

ORDER

IT IS, THEREFORE, ORDERED that Defendant's pro se Motion for Compassionate Release/Reduction of Sentence, (Doc. No. 179), is **DENIED**, without prejudice to Defendant to refile the motion after he has exhausted his remedies with the BOP.

Signed: December 7, 2021



Max O. Cogburn Jr.
United States District Judge